

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, APRIL 20, 2015**

I. CALL TO ORDER

Supervisor Fletcher called the meeting to order at 6:00 PM.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Supervisor Ken Fletcher, Treasurer Howard Pizzo, Clerk Mary R. Clark, Trustee Dennis Fedewa, Trustee Jeff Hicks, and Trustee Douglas Kosinski

Members Absent: Trustee Mojica

Others Present: Acting Manager Jeff Anderson, Lt. Wriggelsworth, Utility Director Tom Morrissey, Assistant Utility Director Rick Kane, Planner Chris Gruba, Fire Inspector Mike Roberts, Assistant Fire Chief Mike Roman, Community Development Director Mark Graham, Engineer Gary Arnold, and Attorney Gordon VanWieren, Jr.

TRUSTEE KOSINSKI MOVED TO EXCUSE TRUSTEE MOJICA FROM THE APRIL 20, 2015 REGULAR BOARD MEETING.

TRUSTEE HICKS SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

IV. PRESENTATIONS AND PROCLAMATIONS –

1. Delta Township Fire Department's Life Saving Award

Mr. Roger Clinard

Assistant Fire Chief Mike Roman presented the Life Saving Award to Roger Clinard. On January 14, 2015, Mr. Clinard called 911 when he heard his neighbor calling for help from inside her home where she had fallen three days earlier.

2. 2014 Financial Statement Audit Report – Bruce Dunn & Jeffrey Staley, Maner Costerisan

Mr. Dunn gave a summary to the Township Board regarding analysis of Delta Township funds, revenues, and expenditures for 2014.

V. SET/ADJUST AGENDA

TREASURER PIZZO MOVED TO APPROVE THE AGENDA AS PRESENTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

VI. PUBLIC HEARINGS – NONE

VII. COMMUNICATIONS

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA *(maximum two minutes)*

IX. INTRODUCTION OF ORDINANCES

X. PASSAGE OF ORDINANCES –

XI. CONSENT AGENDA –

TRUSTEE KOSINSKI MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TREASURER PIZZO SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO,
TRUSTEE FEDEWA, TRUSTEE KOSINSKI, AND TRUSTEE HICKS.

NAYS: NONE

ABSENT: TRUSTEE MOJICA

THE MOTION PASSED 6-0.

3.	Bills and Financial Transactions	\$	4,586,187.19
	Bond/Debt Payments		
	Investments		
	Payroll & Related		950,890.41
	Refunds		6,810.17
	Tax Distributions		2,057,428.90
	Vendor Claims		1,148,595.21
	Total	\$	4,586,187.19

TRUSTEE KOSINSKI MOVED TO APPROVE THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$4,586,187.19.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

4. Minutes –

March 16, 2015 Regular Township Board Meeting
March 21, 2015 Special Board Meeting
March 30, 2015 Special Board Meeting
April 13, 2015 Committee of the Whole Meeting

TRUSTEE KOSINSKI MOVED TO APPROVE THE MARCH 16, 2015 REGULAR TOWNSHIP BOARD MEETING MINUTES, THE MARCH 21, 2015 SPECIAL BOARD MEETING MINUTES, THE MARCH 30, 2015 SPECIAL BOARD MEETING MINUTES, AND THE APRIL 13, 2015 COMMITTEE OF THE WHOLE MEETING MINUTES.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

5. Additional Credit Service for Matthew Calus, Fire Department

TRUSTEE KOSINSKI MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE FOLLOWING RESOLUTION:

AS PROVIDED BY THE MERS PLAN DOCUMENT, THE SEVENTEEN (17) MONTHS ADDITIONAL CREDITED SERVICE IS GRANTED THE MEMBER BY RESOLUTION ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA AT ITS MEETING ON APRIL 20, 2015. IT IS UNDERSTOOD THAT CALCULATION OF THE ACTUARIAL COST IS BASED ON THE ASSUMPTIONS PROVIDED AND APPROVED BY THE MERS RETIREMENT BOARD ON THE DATE THE CALCULATION WAS PREPARED ACTUAL, FUTURE EVENTS AND EXPERIENCE MAY RESULT IN CHANGES DIFFERENT FROM THOSE ASSUMED, AND LIABILITY DIFFERENT FROM THAT ESTIMATED, AND

FURTHERMORE, THE EMPLOYEE (MATTHEW CALUS) WILL BE RESPONSIBLE AND IS REQUIRED TO PAY THE FULL COST OF THE PURCHASE FOR THE CREDITED SERVICE.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

6. Additional Credit Service for David Boomer, Fire Department

TRUSTEE KOSINSKI MOVED THAT THE TOWNSHIP BOARD APPROVE THE FOLLOWING RESOLUTION:

AS PROVIDED BY THE MERS PLAN DOCUMENT, THE FIVE (5) MONTHS ADDITIONAL CREDITED SERVICE IS GRANTED THIS MEMBER BY RESOLUTION ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA AT ITS MEETING ON APRIL 20, 2015. IT IS UNDERSTOOD THAT CALCULATION OF THE ACTUARIAL COST IS BASED ON THE ASSUMPTIONS PROVIDED AND APPROVED BY THE MES RETIREMENT BOARD ON THE DATE THE CALCULATION WAS PREPARED. ACTUAL, FUTURE EVENTS AND EXPERIENCE MAY RESULT IN CHANGES DIFFERENT FROM THOSE ASSUMED, AND LIABILITY DIFFERENT FROM THAT ESTIMATED, AND

FUTHERMORE, THE EMPLOYEE (DAVID BOOMER) WILL BE RESPONSIBLE AND IS REQUIRED TO PAY THE FULL COST OF THE PURCHASE FOR THE CREDITED SERVICE.

TREASUER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

7. Recommendation to Approve the Disposal of Sodium Vapor Lights

TRUSTEE KOSINSKI MOVED THAT THE TOWNSHIP BOARD AUTHORIZE THE DISPOSAL OF THIRTY-FIVE (35) 250-WATT SODIUM VAPOR LIGHTS VIA COMPETITIVE AUCTION (MITN AND/OR E-BAY.)

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – NONE.

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA

XIV. ITEMS OF BUSINESS

8. Recommendation for Acceptance of Bid – Millett Water Tower Painting

CLERK CLARK MOVED THAT THE TOWNSHIP BOARD ACCEPT THE BID FROM FEDEWA INC. FOR THE PAINTING OF MILLETT WATER TOWER AS OUTLINED IN THEIR BID DOCUMENT DATED MARCH 10, 2015 IN THE AMOUNT OF \$67,540.00.

I FURTHER MOVE THAT THE TOWNSHIP CLERK BE AUTHORIZED AND DIRECTED TO SIGN THE NECESSARY DOCUMENTS RELATED TO THIS PROJECT.

TRUSTEE HICKS SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

9. Recommendation to Approve the Engineering Proposal for the Waste Water Plant

Clerk Clark asked Mr. Morrissey about the timing of the schedule for the project.

Mr. Morrissey stated that this project is starting fairly late in the construction season, and by the time the drawings and engineering completed, that will push the project into the fall of 2015.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPT THE PROPOSAL FROM MOORE & BRUGGINK, INC. OF GRAND RAPIDS, MICHIGAN FOR PROVIDING PROFESSIONAL ENGINEERING DESIGN AND BIDDING SERVICES FOR THE PHASE I WASTEWATER TREATMENT PLANT PROJECT (DESIGN ALTERNATIVE B) FOR THE LUMP SUM FEE OF \$108,700.

I FURTHER MOVE THAT THE INTERIM TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO EXECUTE THE NECESSARY DOCUMENTS RELATED TO THE AFOREMENTIONED PROJECT.

CLERK CLARK SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

10. Mulder Co. Rezoning Request, Introduction, Case No. 2-15-3

TRUSTEE KOSINSKI MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE MULDER COMPANY REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 2-15-3 FROM RB, LOW DENSITY RESIDENTIAL, TO RD, MEDIUM DENSITY RESIDENTIAL.

I FURTHER MOVE THAT THE REZONING REQUEST BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE MAY 4, 2015 REGULAR MEETING.

THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

TREASURER PIZZO SUPPORTED THE MOTION.

Supervisor Fletcher asked Mr. Graham about statements given at the Planning Commission public hearing regarding the Mulder Co. rezoning request.

Mr. Graham indicated that twelve condominium owners along the western edge of the site were concerned about the loss of green space. The zoning ordinance states that no buildings may be built within 40 feet of the property line, but it does not prohibit the removal of brush, or the installation of a parking lot.

Trustee Fedewa asked Mr. Graham if the longstanding site plan will be submitted, or if the plan will be adjusted.

Mr. Graham stated that the site plan is outdated, and will most likely be amended.

THE MOTION PASSED 6-0.

11. Champion Chrysler Special Land Use Permit Request, Final Action, Case No. 3-15-4

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE REQUEST FOR A SPECIAL LAND USE PERMIT FOR AN OUTDOOR GENERAL RETAIL ACTIVITY (PARKING LOT) FOR THE PROPERTY DESCRIBED IN CASE NO. 3-15-4 FOR THE FOLLOWING REASONS:

1. THE REQUEST IS CONSISTENT WITH THE PROVISIONS OF THE DELTA TOWNSHIP COMPREHENSIVE PLAN AND THE ZONING ORDINANCE.
2. THE REQUEST CAN BE OPERATED SUCH THAT IT IS COMPATIBLE WITH SURROUNDING LAND USES.

THE SPECIAL LAND USE PERMIT IS APPROVED SUBJECT TO THE FOLLOWING 3 STIPULATIONS:

1. THE FINAL SITE PLAN MUST COMPLY WITH ALL REQUIREMENTS IN THE ZONING ORDINANCE, MDOT AND THE DRAIN OFFICE.
2. IN THE EVENT THAT THE BUILDING IS NOT DEMOLISHED, ANY AND ALL SIGNAGE RELATING TO THE FORMER USE MUST BE REMOVED AND THE BUILDING EXTERIOR MAINTAINED IN GOOD REPAIR AS PER THE SIGN ORDINANCE AND THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE.
3. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE ZONING ORDINANCE, OR BY ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE TOWNSHIP BOARD.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

A brief discussion ensued among Board members regarding an easement on the property.

THE MOTION PASSED 6-0.

12. Pribble Rezoning Request, Referral, Case No. 4-15-5

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD REFER THE PRIBBLE PROPERTY, LOCATED AT 10174 WOODLAND ACRES DRIVE, REQUEST TO REZONE AS DESCRIBED IN CASE NO. 4-15-5 FROM RA, VERY LOW DENSITY RESIDENTIAL TO A2, AGRICULTURAL/RESIDENTIAL, TO THE PLANNING COMMISSION FOR THE PURPOSES OF HOLDING A PUBLIC HEARING ON THE MATTER AND SUBMITTING A RECOMMENDATION TO THE TOWNSHIP BOARD.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

13. Acceptance of Astera Credit Union Waiver of Lien, Deed of Grant, and Easement

TRUSTEE FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPT THE WAIVER OF LIEN, DEED OF GRANT, AND EASEMENT GRANT FOR THE SANITARY SEWER FACILITIES INSTALLED ON THE ASTERA CREDIT UNION SITE LOCATED AT 5615 WEST SAGINAW HIGHWAY IN SECTION 14 OF DELTA TOWNSHIP. FURTHER, THAT SAID FACILITIES BE ACCEPTED INTO THE DELTA TOWNSHIP SANITARY SEWER SYSTEM.

TREASURER PIZZO SUPPORTED THE MOTION.

Clerk Clark asked for an explanation of why this request was not granted previously and inquired if there could be a consequence for not complying.

Mr. Graham indicated that there are several properties that the Township is currently attempting to work with regarding the same type of request, it is a matter of follow up on the part of the facility. The Planning Department will look more closely at options for addressing non-compliance in a timely manner.

THE MOTION PASSED 6-0.

14. Resolution to request to join the Greater Lansing Taxi Authority

Trustee Hicks asked for a summary of the discussions that have taken place up to date regarding this request.

A discussion ensued among Board members regarding the details of the request to join the GLTA.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD REQUEST TO JOIN THE GREATER LANSING TAXI AUTHORITY (GLTA) CONTINGENT UPON THE GLTA ADOPTION OF LANGUAGE EXEMPTING MEMBERS OTHER THAN THE CITY OF LANSING AND CITY OF EAST LANSING FROM ANY FINANCIAL OBLIGATED FOR DEFICITS INCURRED BY THE AUTHORITY.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 4-2 (FEDEWA & HICKS).

XV. MANAGER’S REPORT – Jeff Anderson, Acting Township Manager

Mr. Anderson stated that the cause of the Delta Township power outage at 1:30 AM on Monday, April 20, 2015 was due to a lightning strike. Initially there were 5000 locations without power, by 4:30 AM there were about 2500 locations without power, and by 10:00 AM, power was restored to the entire Township. The power outage did affect the Waste Water Treatment Plant, and the Township Administration building, including internet and phone connection. Delta Township utilizes Zayo as its phone and internet provider, and will provide all Zayo locations in the greater Lansing area to the Board of Water and Light, and in the event of any future power failures, the Board of Water and Light will give priority to these areas.

There is a potential opportunity for a couple of Brownfield redevelopment projects in Delta Township. More information will be presented in the near future.

Tuesday, May 19, 2015, 9:30 AM – 3:00 PM, the Michigan Municipal League will be holding a Suburban Summit in Grand Rapids, some Delta Township staff and Board members are invited to attend to talk about the advantages of suburban redevelopment.

XVI. COMMITTEE OF THE WHOLE

15. Sign Ordinance Discussion

Mr. Graham reviewed for the Board Mr. Jirousek’s responses to Attorney Colin Maguire’s concerns from the March 9, 2015 sign ordinance public hearing.

Trustee Kosinski stated that he has conducted his own research regarding signs, and reviewed his findings for the Board.

A discussion ensued among Board members and Mr. Graham on issues regarding pole signs, temporary sign permit fees for non-profit organizations, feather signs, historical markers, and the maximum size of pole and ground signs.

The following items were presented to the Township Board:

1. Should new pole signs be prohibited on West Saginaw east of Elmwood (sec. 32-23 V, Prohibited Signs) and should all pole signs be removed when buildings are demolished on West Saginaw east of Elmwood (sec. 32-10 B 3)?

Board’s consensus: No - new pole signs shouldn’t be prohibited on West Saginaw east of Elmwood

Yes - all pole signs should be removed when buildings are demolished on West Saginaw east of Elmwood.

2. Should pole signs associated with commercial structures anywhere in the Township be required to be removed within 18 months of the property being abandoned or vacant (sec. 32-10 B 4)?

Board's consensus: Yes

3. Should pole signs which are abandoned on the effective date of the new ordinance be removed within 12 months (sec. 32-10 B 4)?

Board's consensus: Yes

4. Should there be an exemption from the temporary sign permit fee for non-profit organizations?

Board's consensus: Yes – staff and Mr. Jirousek will further discuss the issue of temporary sign permit fees for non-profit organizations and provide a recommendation to the Board.

5. Should feather signs be prohibited (sec.32-23 R)?

Board's consensus: Yes

6. Should the permitted size of historical markers be increased from 2 sq. ft. to 20 sq. ft. (sec. 32-22 F)?

Board's consensus: Yes

7. Should the maximum size of signs for pole & ground signs for Business Centers be increased from the present 60 sq. ft. limit?

Board's consensus: No

16. Closed Session

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD ADJOURN TO CLOSED SESSION AT THE REQUEST OF THE TOWNSHIP INTERIM MANAGER UNDER THE MICHIGAN OPEN MEETINGS ACT (ACT 267 OF 1976), SECTION 15.268(H) TO REVIEW A LEGAL OPINION FROM THE TOWNSHIP'S LEGAL COUNSEL.

TRUSTEE HICKS SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO,
TRUSTEE FEDEWA, TRUSTEE HICKS, AND TRUSTEE KOSINSKI.

NAYS: NONE

ABSENT: TRUSTEE MOJICA

THE MOTION PASSED 6-0. TOWNSHIP BOARD MEMBERS BEGAN CLOSED
SESSION AT 7:44 PM.

TRUSTEE HICKS MOVED TO RETURN TO OPEN SESSION AT 8:15 PM.

TRUSTEE KOSINSKI SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

XVII. PUBLIC COMMENTS –

Clerk Clark, on behalf of the entire Board of Trustees, congratulated Lt. Mark Wriggelsworth on a very successful 5K on Sunday, April 19, 2015. The race was held to raise funds for markers for fallen police officers.

XVIII. ADJOURNMENT –

Supervisor Fletcher adjourned the meeting at 8:15 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK